

REMARKS

1. Claims 1-10 (claims 1, 2, 7 and 10 once amended) have been cancelled. New claims 11-17 have been added. The claims presently pending in the case are claims 11-17. Reexamination and reconsideration of the application, as amended, are respectfully requested.

2. Applicant's invention relates to a keyboard cover and copy holder. More specifically, the keyboard cover and copy holder comprises top and bottom plate members each having right and left panels extending therefrom. The left and right panels are engageable with each other so as to allow the top plate member to rotate about a pivot axis. This allows the top plate member to rotate between a closed position and an open position. In the closed position the top plate member is parallel to and above the bottom plate member and computer keyboard thereon. In the open position the top plate member is substantially perpendicular to the bottom plate member. In the open position, the top plate member is adapted to retain an article of printed material upon a flange on the back/bottom portion of the top plate member.

3. Claims 1-7, 9 and 10 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,568,158 A, to Nelson et al ("Nelson"). Claims 1-7, 9 and 10 have been cancelled. Therefore the rejection of claims 1-7, 9 and 10 under 35 U.S.C. 102(b) has been overcome by their cancellation.

4. Claims 9 and 10 were rejected under 35 U.S.C 103(a) as being unpatentable over Nelson in view of over U.S. Patent No. 4,449,763 A to Barnett ("Barnett"). Claims 9 and 10 have been cancelled. Therefore the rejection of claims 9 and 10 under 35 U.S.C. 103(a) has been overcome by their cancellation.

5. The Office Action objected to claim 8 as being dependent on a rejected base claim, but stated that it would be allowable if rewritten. Claims 1-10 have been cancelled to overcome the rejection. New claim 11 has been added to include all the elements of the rejected portions of the base claims and intervening claims 1-7. Specifically, new claim 11 includes all the elements of rejected claims 1-6, and is limited to fasteners selected from the group comprising: a screw; a bolt; a nut; a wing nut; a snap lock; a tongue and groove; a rivet; a hook; a binder; a catch; a clamp; a clasp; and a cleat. The fasteners disclosed in the cited references included a clip and a pin (as well as elements similar to a pin including a dowel, a post, a plug, and anchor, and a peg). Therefore, new claim 11, includes the elements of the intervening claims which are not disclosed in the references.

6. New claim 12 has been added. It is respectfully submitted since new claim 11 is in condition for allowance, and that since claim 12 depends from new claim 11 and contains all the limitations of the base claim, that claim 12 is also in condition for allowance. Claim 12 is even more allowable because it contains the additional limitation of "said fastener comprises a wing nut, washer and bolt." Support for this limitation can be found in original claim 8. Accordingly, it is submitted that new claim 12 is allowable, and consideration and allowance of claim 12 is appropriate and is respectfully solicited.

New claim 13 has been added. It is respectfully submitted since new claim 11 is in condition for allowance, and that since claim 13 depends from new claim 11 and contains all the limitations of the base claim, that claim 13 is also in condition for allowance. Claim 13 is even more allowable because it contains the additional limitation of "said top plate member and said bottom plate member are comprised of a polymeric material." Support for this limitation can be found in original claim 9. Accordingly, it is submitted that new claim 13 is allowable, and consideration and allowance of claim 13 is appropriate and is respectfully solicited.

New claim 14 has been added. It is respectfully submitted since new claim 11 is in condition for allowance, and that since claim 14 depends from new claim 11 and contains all the limitations of the base claim, that claim 14 is also in condition for allowance. Claim 14 is even more allowable because it contains the additional limitation of "wherein said bottom plate member is adapted to receive a computer keyboard thereon between said left and right side panels." Support for this limitation may be found in paragraphs [0002], [0005], [0014] and [0038]. Accordingly, it is submitted that new claim 14 is allowable, and consideration and allowance of claim 14 is appropriate and is respectfully solicited.

New claim 15 has been added. It is respectfully submitted since new claim 11 is in condition for allowance, and that since claim 15 depends from new claim 11 and contains all the limitations of the base claim, that claim 15 is also in condition for allowance. Claim 15 is even more allowable because it contains the additional limitation of "wherein said top plate member is adapted to rotate about said pivot axis between a first closed position facing and substantially parallel to said bottom plate member, and a second open position substantially perpendicular to said bottom plate member." Support for this limitation may be found in paragraphs [0040]-[0042] of the specification and FIGS. 2, 5, 6 and 9. Accordingly, it is submitted that new claim 15 is allowable, and consideration and allowance of claim 15 is appropriate and is respectfully solicited.

New claim 16 has been added. It is respectfully submitted since new claim 15 is in condition for allowance, and that since claim 16 depends from new claim 15 and contains all the limitations of the base claim, that claim 16 is also in condition for allowance. Claim 16 is even more allowable because it contains the additional limitation of "wherein said flange extending downward from a back portion of said top plate member is adapted to retain an item of printed material thereon when said top plate member is pivoted about said axis to said

second open position." Support for this limitation may be found in paragraphs [0014], [0016] [0020], [0037], [0039], and [0041]. Accordingly, it is submitted that new claim 16 is allowable, and consideration and allowance of claim 16 is appropriate and is respectfully solicited.

New independent claim 17 has been added. New claim 17 recites:

"A keyboard cover and copy holder comprising:
a polymeric top plate member having downward extending left and right side panels;
one flange extending downward from a rear portion of said top plate member;
at least one bore disposed within each downward extending left and right side panel;
a polymeric bottom plate member having upward extending left and right side panels;
said bottom plate member being adapted to receive a computer keyboard thereon between said left and right side panels;
at least one flange extending upward from a front portion of said bottom plate member;
at least one bore disposed within each upward extending left and right side panels; and
at least one fastener positioned in an operable relationship to each bore for pivotably engaging said top plate member to said bottom plate member for relative rotation on a pivot axis between a substantially parallel configuration and an angled configuration of said top plate member and said bottom plate member;
said fastener being selected from the group comprising: a screw; a bolt; a nut; a wing nut; a snap lock; a tongue and groove; a rivet; a hook; a binder; a catch; a clamp; a clasp; and a cleat."

It is respectfully submitted since new claim 17 contains all the limitations of new claims 11-14, and that since claims 11-14 are in condition for allowance, that new claim 17 is also in condition for allowance. Accordingly, it is submitted that new claim 17 is allowable, and consideration and allowance of claim 17 is appropriate and is respectfully solicited.

7. For all the reasons given above, it is respectfully submitted that this application is now in condition for allowance, which action is respectfully solicited.

Very Respectfully,

A handwritten signature in black ink, appearing to read 'D. Bolduc', written over a horizontal line.

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Date

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